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Docket No.
694231/0011
JJD:JFD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: McFaddin et al.

Group Art Unit: 2152

Application No.: 10/077,282

Examiner: Not Yet Assigned

Filed: February 14, 2002

For: **METHOD AND SYSTEM FOR DELIVERING A COMPOSITE
INFORMATION STREAM OVER A COMPUTER NETWORK**

Date: November 5, 2002

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Technology Center 2100

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice of 37 C.F.R. §§1.97 and 1.98, the Examiner's attention is directed to the enclosed Declarations and Exhibits.

This Information Disclosure Statement ("IDS") presents (i) a "Declaration Of James J. DeCarlo In Support Of An Information Disclosure Statement ("IDS") Disclosing, In Accordance With 37 CFR § 1.56, Circumstances Of A Dispute Over Inventorship"; (ii) a "Declaration Of Justin P. Madison In Support Of An Information Disclosure Statement ("IDS") Disclosing, In Accordance With 37 CFR § 1.56, Circumstances Of A Dispute Over Inventorship"; and (iii) a "Declaration Of Michael D. Bigby In Support Of An Information Disclosure Statement ("IDS") Disclosing, In Accordance With 37 CFR § 1.56, Circumstances Of A Dispute Over Inventorship" ("Declarations").

In the Declarations, it is explained that one of the joint inventors, Mr. McFaddin, now disputes that he is a joint inventor, and now claims that he is the sole inventor of the claimed

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invention, and also claims that he conceived of the claimed invention prior to his employment with the assignee, Yahoo! Inc., and that he is sole owner of the claimed invention.

As stated in the Declarations, Mr. McFaddin has not offered any documentary evidence of sole or prior inventorship on his part. Accordingly, no documents providing evidence in support of Mr. McFaddin's claim of sole and prior inventorship can be submitted with this IDS.

Applicants are submitting this IDS, and enclosed Declaration, however, to meet the requirements of 37 CFR § 1.56, which sets forth the duty to disclose "information material to patentability." Information as it relates to 37 CFR § 1.56 is defined in the Manual of Patent Examining Procedure ("MPEP") as follows:

The term "information" as used in 37 CFR 1.56 means all of the kinds of information required to be disclosed and includes any information which is "material to patentability."... In addition to prior art such as patents and publications, 37 CFR 1.56 includes, for example, information on possible prior public uses, sales, offers to sell, derived knowledge, **prior invention by another, inventorship conflicts**, and the like.

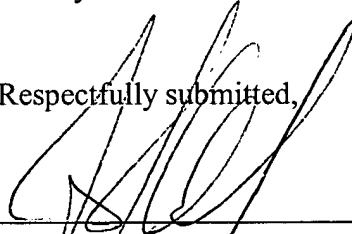
MPEP § 2001.04 (emphasis added).

Accordingly, Applicants are submitting this IDS out of an abundance of caution, in the unlikely event that the unsubstantiated claims of Mr. McFaddin that he is the sole and prior inventor could possibly be considered "information material to patentability" as described in 37 CFR § 1.56.

Applicants believe that no fee is due under 37 CFR § 1.17(p) for this IDS because it is being filed in compliance with 37 CFR § 1.97(b)(3), before the mailing date of a first Office Action on the merits. If any fees are deemed due, however, authorization is hereby given to charge any fee deficiencies to Deposit Account No. 19-4709.

Early and favorable action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. DeCarlo', is written over a horizontal line.

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